ESTTA Tracking number:

ESTTA288849 06/09/2009

Filing date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91177234
Party	Plaintiff Cardinal Health 303, Inc.
Correspondence Address	Joseph R. Dreitler Bricker & Eckler LLP 100 S. Third Street Columbus, OH 43215-4291 UNITED STATES mtrue@bricker.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Mary R. True
Filer's e-mail	trademarks@bricker.com
Signature	/Mary R. True/
Date	06/09/2009
Attachments	3Chiero Notice_pdf.pdf (25 pages)(537298 bytes)



Strategic Objective II.

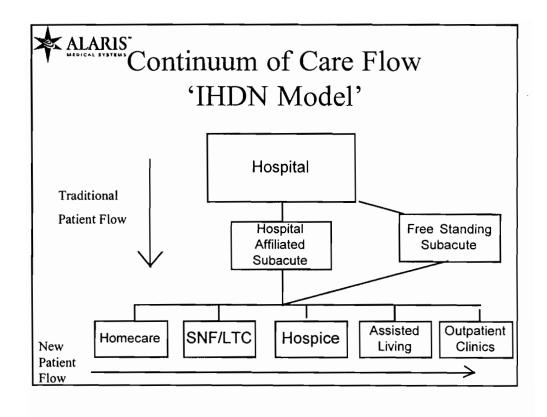
Expand our core business of infusion therapy products into the Alternate Site Market.

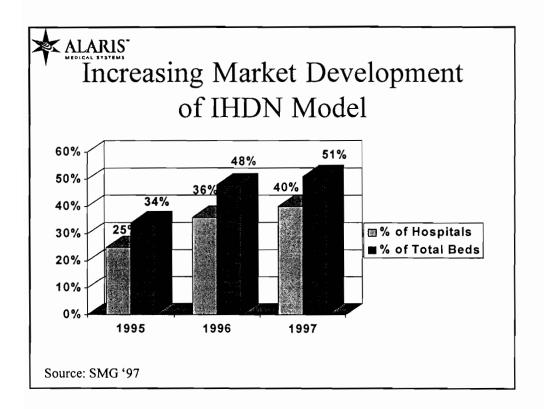


Why should ALARIS be in the Alternate Site Infusion market?

- It is important for ALARIS to provide a continuum of care solution as our IHDN customer's patients move from the acute hospital setting into alternate sites of care.
 - 569 IHN's representing 3,360 hospitals (51% of total);
 - 444 SNF's, 922 HH, 315 FSC
 - 45%+ growth rate

Sources; SMG 1997, Modern Healthcare May 1996







Gail Warden President and CEO Henry Ford Health Systems

"We've identified homecare as the key strategic segment within our network... it affects nearly all of our patients, whether it's post-discharge, or in the prevention of unnecessary hospital admissions."



Why should ALARIS be in the Alternate Site Infusion market?

- Majority of ALARIS customers are part of an IHDN.
 - Of ALARIS' top 25 fluid delivery A accounts, 56% (14/25) are designated as an IHDN.
 - Of these top 25 accounts, majority
 have affiliated Alternate Site facilities;
 - Home health 60% (15/25)
 - Hospice 36% (9/25)
 - Subacute/SNF 28% (7/25)



Integrated Networks (IHDN's)

The missing link in ALARIS' strategy?

 Creating synergy with ALARIS NAM's, HSM's, Hospital and Alternate Site salesforce

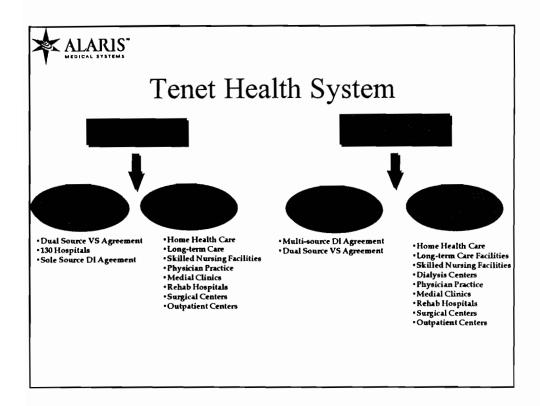
"Abbott and McGaw have a complete story for IHDN's.

A good example is Abbott with the AIM pump, and homecare partnership program"



Why should ALARIS be in the Alternate Site Infusion market?

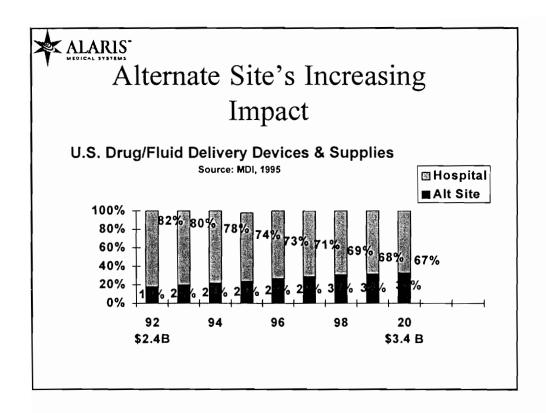
 Opportunity to grow business with pull through of National Account and GPO contracts.

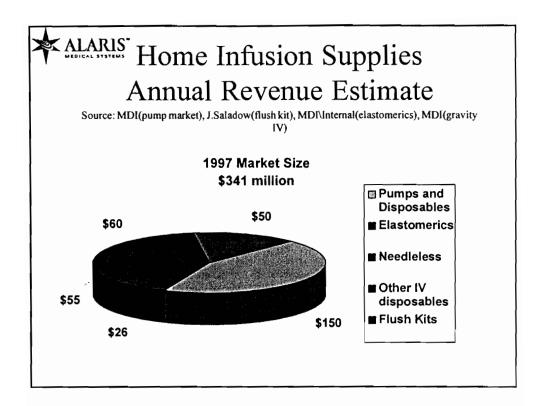




Why should ALARIS be in the Alternate Site market?

• Alternate Site infusion is increasing in its percent of the total infusion market.

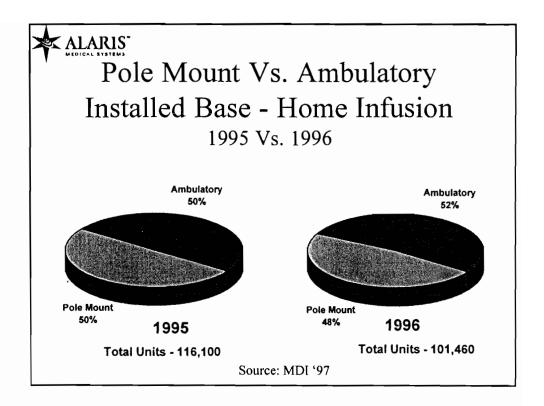


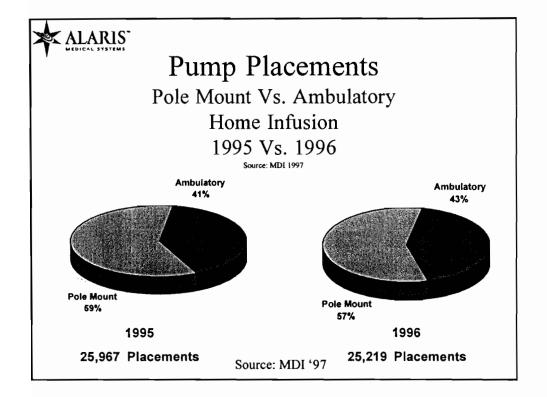




ALARIS Alternate Site Infusion 1998 Objectives

Performance Measure	1997 Result	1998 Objective	Estimated Market Size	Target Market Share		
SinariSite	S-5 million	\$2.2 million	\$55 million	4%		
Ready∦IED	\$2.0 million	33.1 million	526 million	1276		
D) (Instruments/Sets)	SS-5 million	54.85 million	\$150 million	3%		
Total	\$8.0 million	\$10.2 million	\$231 million	4%		





*	ALARIS

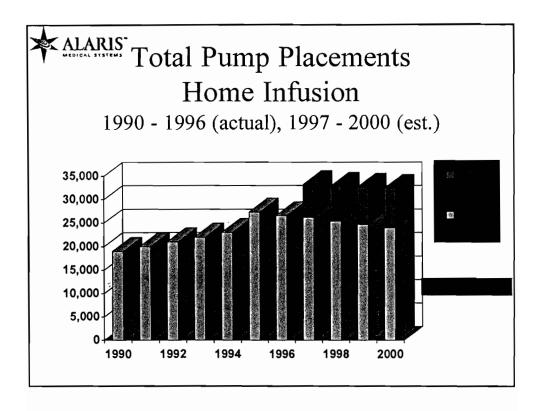
Pump Placements Estimated Total Alternate Site Infusion Market

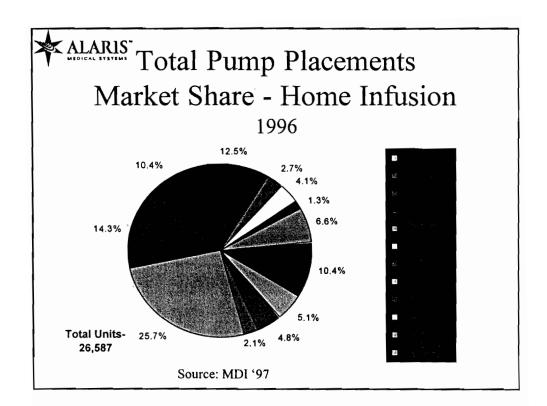
 Home Infusion Market 	(1997 est.)
Ambulatory	12,500 units
Polemount	13,300 "
~	

• Subacute\SNF

Ambulatory 1,500 "
Polemount 7,000 "
Total Alt. Site Market 34,300 units

Source: MDI '97







Strategy Detail and Product Map for Alternate Site Infusion



Expand Core Infusion Products into the Alternate Site Market

- I. Develop Ramp & Taper program for Signature product by Q4 '98
 - Expands SE into home infusion segment
 - Position as Alternate Site continuum of care solution to IHDN's/GPO's
 - Complete IHDN story with Signature series
 - Fills gap in product line prior to Tristar\Orion series



Signature Edition Forecast Summary

Forecast;

5 Year Cumulative

Market Share

10% (peak)

Pump Units

6,243

Set Units (000's)

1,397

Total Revenue (000's)

\$13,406



Expand Core Infusion Products into the Alternate Site Market

II. Develop R & T on Orion-based LVP's

- Tristar ASC, Orion LVP
- Target Set ASP of \$2 \$3
- Standard Interface
- Continuum of care story (IHDN's)
- Compete effectively in Alternate Site LVP segment
- Key component to Home Telemedicine strategy



Filling the Disposable Product Pipeline

III. Support & Expand disposable product line.

- Flow controlled gravity sets
- Controlled rate gravity sets
- Standard ReadyMED
- Chemo ReadyMed

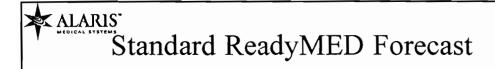


Gravity Sets

Description;

- Key applications; antibiotics, hydration
- Position as more cost-effective, simpler method versus elastomerics, and electronic pumps
- Two lines;
 - Fixed rate Full sets, and Extension sets calibrated to Baxter, Abbott, Braun,
 - Controlled rate sets (CONMED)

Forecast;	5 Year Cumulative						
Share of market	21% (ab)	30% (hyd)					
Units (000's)	4,846						
Revenue (000's)	\$12,656						



I. Standard ReadyMED	 1998	1999	2000	2001	2002
Total Units (000's)	596	739	1059	1366	1529
ASP	\$ 5.25	\$ 4.99	\$ 4.74	\$ 4.50	\$ 4.28
Rev \$ (000's)	\$ 3,126	\$ 3,684	\$ 5,016	\$ 6,148	\$ 6,540
Std. Cost Per Unit	\$ 3.00	\$ 285	\$ 270	\$ 255	\$ 240
Gross Margin \$	\$ 1,340	\$ 1,579	\$ 2,158	\$ 2,665	\$ 2,869
Gross Margin %	43%	43%	43%	43%	44%